

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                  |   |                                   |
|----------------------------------|---|-----------------------------------|
| -----X                           | : |                                   |
| EBF HOLDINGS, LLC d/b/a EVEREST  | : |                                   |
| BUSINESS FUNDING,                | : |                                   |
|                                  | : |                                   |
| Plaintiff                        | : | 23-CV-2325 (VSB)                  |
|                                  | : |                                   |
| -against-                        | : | <b><u>ORDER AND NOTICE OF</u></b> |
|                                  | : | <b><u>INITIAL CONFERENCE</u></b>  |
| DECHOKER, LLC d/b/a DECHOKER and | : |                                   |
| ALAN RAY CARVER,                 | : |                                   |
| Defendants.                      | : |                                   |
| -----X                           | : |                                   |

VERNON S. BRODERICK, United States District Judge:

This case has been assigned to me for all purposes. It is hereby:

ORDERED that the Court will not be holding an initial pretrial conference.

IT IS FURTHER ORDERED that, by April 27, 2023, the parties submit a joint letter, not to exceed three (3) pages, providing the following information in separate paragraphs:

1. A brief description of the nature of the action and the principal defenses thereto;
2. A brief explanation of why jurisdiction and venue lie in this Court. If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. If any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners and/or trustees;
3. A brief description of all contemplated and/or outstanding motions;
4. A brief description of any discovery that has already taken place, and/or that which will be necessary for the parties to engage in meaningful settlement negotiations;
5. A brief description of prior settlement discussions (without disclosing the parties' offers or settlement positions) and the prospect of settlement;
6. The estimated length of trial; and

7. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

IT IS FURTHER ORDERED that the parties also jointly submit to the Court a proposed case management plan and scheduling order. A template for the order is available at <http://nysd.uscourts.gov/judge/Broderick>. The status letter and the proposed case management plan should be filed electronically on ECF, consistent with Section 13.1 of the Court's Electronic Case Filing (ECF) Rules & Instructions, available at <https://nysd.uscourts.gov/rules/ecf-related-instructions>.

SO ORDERED.

Dated: April 22, 2023  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Vernon S. Broderick  
United States District Judge